

REMARKS

The Examiner rejected claims 1-2, 4, 8-29 under 35 U.S.C. 102(e) as being anticipated by Born et al. (US 2005/0045373). Applicant respectfully traverses this rejection.

The Examiner rejected claim 3 under 35 USC 103(a) as being unpatentable over Born et al. (US 2005/0045373) in view of Gallenson et al. (WO 01/30046).

The Examiner rejected claims 5-7 and 30-32 under 35 USC 103(a) as being unpatentable over Born et al. (US 2005/0045373) in view of Swanson et al. (US 2002/0013784).

Accompanying this response is a declaration under 37 CFR 1.131. This declaration establishes that the claimed invention was conceived of prior to May 27, 2003, the critical date of the Born reference, and was diligently reduced to practice. As such, Applicant respectfully maintains that the Born reference is unavailable as prior art.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
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